

Applicant : David G. Hees
Serial No. : 10/801,025
Page : 7

REMARKS

Applicant acknowledges the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicant respectfully requests reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered.

DRAWINGS

The Examiner objects to FIG. 11 for failing to contain reference numerals for the arrows shown in the figure.

The Examiner also objects to the drawings as failing to comply with 37 CFR 1.84(p)(4) because reference character "514" has been used to designate both the central opening and the transverse opening in FIG. 11.

The Examiner objects to the drawings under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims.

Applicant submits under separate cover a proposed set of corrected drawings. This correction should now resolve the Examiner's objection to the drawings. A copy of the Transmittal of Proposed Corrected Replacement Drawings is enclosed for the Examiner's reference.

Accordingly, Applicant requests that the objection to the drawings be reconsidered and withdrawn.

SPECIFICATION:

The Examiner objects to the specification for not containing the appropriate contents.

Applicant : David G. Hees
Serial No. : 10/801,025
Page : 8

Applicant respectfully requests reconsideration. The specification has each of the titles and sections allegedly missing. Applicant notes that a Notice of Omitted Items was received in this application stating that pages 1 and 2 of the specification were missing. Applicant filed a Petition to the Notice of Omitted Items in a Nonprovisional Application filed on November 18, 2004, which included a complete copy of the application and filing papers stating that pages 1 and 2 of the specification was, in fact, filed on March 15, 2004 with the application and, therefore, not missing. Applicant received a notice that the Petition was GRANTED on May 19, 2005.

Pages 1 and 2 of the specification contains the "Title of the Invention", "Technical Field and Background of the Invention", and "Summary of the Invention", as laid out by the Examiner. A copy of Pages 1 and 2 of the specification as filed on March 19, 2004 is enclosed for your reference.

Accordingly, Applicant respectfully requests that the objections to the specification be reconsidered and withdrawn.

STATUS OF THE CLAIMS:

Claims 34-42 are pending in the application. Claims 1, 2, 5, 7, 8, 10-13, 18, 19 and 22-33 are cancelled herein. Claims 3, 4, 6, 9, 14-17, 20 and 21 were previously cancelled.

CLAIM OBJECTIONS:

Claims 34-36 are objected to because they recite the limitation "said opening" and there is insufficient antecedent basis for the limitation of the claims.

Applicant respectfully notes that the claims recite "said opening through said flat panel door assembly"; therefore, the claims are clear as to which opening reference is

Applicant : David G. Hees
Serial No. : 10/801,025
Page : 9

being made. Hence, proper antecedent basis is provided. Notwithstanding, Applicant has amended the claims as proposed by the Examiner to provide additional clarification.

Claims 34-36 are believed to overcome the claim objections by the Examiner. Accordingly, reconsideration and withdrawal of the objection to the claims is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112:

The Examiner rejects Claims 34-36 under 37 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant respectfully traverses for the same reasons noted above; however, to expedite the allowance of the claims and add clarity to the claims, Claims 34-36 have been amended as suggested by the Examiner. Accordingly, Applicant respectfully requests that the 35 U.S.C. § 112, second paragraph, rejection of the claims be reconsidered and withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

The Examiner rejects Claims 34-37 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,327,535 to Governale.

With respect to Claim 34, Applicant has amended Claim 34 to more clearly define Applicant's invention. Claim 34 now calls for:

A paneled door assembly comprising:
a flat panel door assembly, said flat panel door assembly including a door frame assembly and door skins mounted to opposed sides of said door frame assembly, each of said door skins having a door skin opening extending therethrough, said door skin openings being aligned to form a flat panel door assembly opening, said door frame assembly having a perimeter frame with a lower member, said lower member having a lower transverse

Applicant : David G. Hees
Serial No. : 10/801,025
Page : 10

access opening in communication with said flat panel door assembly opening for receiving a panel; and
at least one panel extending through said flat panel door assembly and located in said flat panel door assembly opening to thereby form said paneled door assembly, and said panel comprising a wood panel or having an appearance of a wood panel.

Applicant respectfully submits that Governale does not disclose or suggest the claimed combination. For example, Governale does not disclose or suggest a paneled door assembly comprising a flat panel door assembly with a door frame assembly having a transverse access opening provided in the lower frame member of the door frame assembly for receiving a panel. Nor does Governale disclose a paneled door with a wood or wood-like panel. In contrast, Governale, like the other cited art, discloses a lower frame member that is solid. The construction and assembly of the Governale door is very different than the claimed paneled door. Moreover, Applicant respectfully urges Governale teaches away from the claimed combination. Governale teaches to assemble its window or "lite" as a pre-fabricated lite assembly—from glass and wood framing—prior to installing the lite into the door. Therefore, Governale teaches away from forming an access opening in either the upper or lower frame member of its paneled door for receiving a panel.

Accordingly, Applicant respectfully urges that Claims 34 and its dependent claims are patentably distinguishable over Governale alone or in combination with any other reference of record. Further, Applicant respectfully submits that new Claims 40-42 are patentability distinguishable over Governale for at least the reasons set forth above.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

Applicant : David G. Hees
Serial No. : 10/801,025
Page : 11

The Examiner rejects Claims 34 and 38 under 35 U.S.C. § 103(a) as being unpatentable over WO 9206265 to Weimann et al. in view of U.S. Patent No. 2,791,809 to Lincoln Jr.

With reference to Claim 34, Applicant respectfully submits that none of neither Weimann et al. or Lincoln Jr. discloses or suggests the claimed combination. For example, neither Weimann nor Lincoln discloses or suggests, for example, a paneled door assembly comprising a flat panel door assembly with a door frame assembly having a transverse access opening provided in the lower frame member of the door frame assembly for receiving a panel.

Nor would it be obvious to modify Weimann et al. or Lincoln Jr. to meet the claimed combination since such a modification would change the principal operation of both doors.

Accordingly, Applicant respectfully urges that Claim 34 and its dependent claims are patentably distinguishable over Weimann et al. and Lincoln Jr. each alone or in combination or in combination with any other reference of record.

Further, Applicant submits that Claims 40-42 are patentably distinguishable over Weimann and Lincoln for at least the same reasons as noted above.

Accordingly, in light of the above amendments and remarks, Applicants respectfully request reconsideration of the present application and a Notice of Allowance of all claims, namely Claims 34-42.

Applicant : David G. Hees
Serial No. : 10/801,025
Page : 12

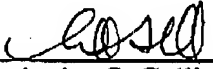
Should the Examiner have any questions or suggestions, he is invited to contact the undersigned at (616) 975-5506 or at collins@vglb.com.

Respectfully submitted,

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

DAVID G. HEES

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Date


Catherine S. Collins
Registration No. 37 599
2851 Charlevoix Drive, S.E., Suite 207
P.O. Box 888695
Grand Rapids, MI 49588-8695
(616) 975-5500

CSC:lmsc